

Issued October 18, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1111.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF WHISKEY.

On February 3, 1911, the United States Attorney for the Western District of Tennessee, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against J. A. McCormack, doing business under the firm name of J. A. McCormack & Co., Memphis, Tenn., alleging shipment by him, in violation of the Food and Drugs Act, on April 20, 1910, from the State of Tennessee into the State of Arkansas, of a quantity of whiskey which was misbranded. The whiskey was labeled: (On shipping case) "4 qts. whiskey". (On bottle) "M. W. Heron's Famous Southern Comfort. M. W. Heron, Memphis, Tenn." (On carton) "M. W. Heron's Collars and Cuffs, Memphis, Tenn."

An analysis of a sample of the product was made by the Bureau of Chemistry of this Department with the following results, showing the product to be a compound cordial, viz: Proof, 58.9; alcohol by volume, 29.43 per cent; acids, 199.6; esters, 84.6; aldehydes, 9.0; furfural, 2.5; fusel oil, 102.0; color insoluble in amyl alcohol, 16.0 per cent; color insoluble in water, 11.8 per cent; total color, 31.4; solids by evaporation, 25.94; ash, 0.014; total sugars as reducing, 23.3 per cent; sucrose, 1.42 per cent. Misbranding was alleged for the reason that the statements on the label were false and misleading in that the product was represented to be whiskey when in fact it was a compound cordial.

On May 24, 1911, the defendant pleaded guilty and was fined \$25 and costs, which were paid.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 13, 1911.*

